

# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/IT 03/00339

**A. CLASSIFICATION OF SUBJECT MATTER**  
IPC 7 A61K7/50 A61K7/48

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1 304 101 A (TORRENT PHARMACEUTICALS LTD) 23 April 2003 (2003-04-23) page 50, paragraph 195 - paragraph 196	1,17
E	US 2003/194385 A1 (GRUBER MURRAY) 16 October 2003 (2003-10-16) page 2, paragraph 19 - page 3, paragraph 33; examples 1-3	1-8,19
A	WO 97/09027 A (ISP INVESTMENTS INC) 13 March 1997 (1997-03-13) claims 1-7	1,5-8
A	WO 02/22103 A (TRANI MARINA ; PREY CONOR JAMES O (GB); WEISGERBER DAVID JOHN (US); PR) 21 March 2002 (2002-03-21) page 16 - page 17; claim 14	1,5,6
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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

1 March 2004

Date of mailing of the international search report

09/03/2004

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 03/002674 A (PENNZOIL QUAKER STATE COMPANY) 9 January 2003 (2003-01-09) page 6, line 1 - line 13 -----	1, 9
A	WO 02/38121 A (HENKEL KGAA ; HOYER KIRSTEN (DE); KARSTEN ULF (DE); GERKE THOMAS (DE);) 16 May 2002 (2002-05-16) page 16, line 1 - page 18, line 3; claim 1 -----	1

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## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 18 (partially)  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 18 (partially)

Present claim 18 relates to the use of dimethyl sulphone in the preparation of a composition for chemical peeling, as an anti-inflammatory, anti-irritant and antierythema agent. This independent claim does not comprise the essential features as defined in independent claims 1 or 17 (Article 6 PCT). Therefore, the scope of the invention is not clear (Article 6 PCT), or the application even appears to lack unity (Rule 13.1 PCT).

However, from claims 9 to 11 and the whole disclosure in the application it appears that subject-matter of independent claim 18 could be dependent on independent use claim 17. In this case the claim 18 lacks consistency with the other claims and description (Article 6 PCT). A meaningful search had been carried out on the assumption that subject-matter of claim 18 is dependent on subject-matter of claim 17.

For the case in which subject-matter of use claim 18 does not relate to subject-matters of independent claims 1 or 17, no search has been established under Article 6 PCT.

Furthermore claim 18 stands in contrast to the requirements of Rule 39.1 (iv) PCT.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No  
PCT/IT 03/00339

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
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			CN 1411800 A	23-04-2003
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			WO 9709027 A1	13-03-1997
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